

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.16300 of 2007

Dated: 31-07-2007

Between:

Jangili Ashanna and others.

.... PETITIONERS

AND

The District Collector, Adilabad, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.16300 of 2007

ORDER:

Father of first petitioner – Jangili Hanumanthu and father of petitioners 2 to 4 – Jangili Narasimulu are allegedly in possession of Government lands in survey No.21/PP situated at Dasnapur Village of Adilabad since 1950. Subsequently Hanumanthu and Narasimulu were allegedly assigned these lands and their family has been cultivating the same. The petitioners succeeded to these lands. They approached first respondent on 07.12.2004 and second respondent on 12.03.2007 requesting for issue of pattadar passbooks(PPBs)/title deeds (TDs) duly recording their names in the Pahanies, in vain. In this writ petition, they seek a direction to the respondents to issue PPBs to them. As per the provisions of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 (the Act, for brevity), the Mandal Revenue Officer having jurisdiction is designated as recording authority, the Revenue Divisional Officer (RDO) as appellate authority and the District Collector as revisional authority. RDO and the Joint Collector do not exercise any original jurisdiction as per the scheme of the Act. In the absence of a valid application in Form VI(A) read with Rule 18 of the Andhra Pradesh Rights in Land & Pattadar Pass Books Rules, 1989 and Section 4(1) of the Act, a writ of Mandamus cannot be issued to an authority who is not competent to issue PPB. The writ petition is misconceived and the same is accordingly dismissed. No costs.

(V.V.S.RAO, J)

31st July, 2007
ghn